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SB 2454 RELATING TO CONSERVATION DISTRICT USES

Statement for
Senate Committee on
Economic Development and Energy
and Natural Resources
Public Hearing, 7 March 1980

By
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SB 2454 would amend Chapter 205, Hawaii Revised Statutes, so as to provide counties with certain powers with respect to the Conservation District use permits awarded by the Department of Land and Natural Resources. This statement on the bill does not reflect an institutional position of the University.

There are two matters in the bill which require clarification in order to avoid confusion and/or inconsistency in its administration. First, on page 2, line 14 there is reference to the "appropriate zoning agency." If this is intended to refer to the agency responsible for administration of the zoning laws, more specific language to that effect should be used. If more latitude is to be implied by use of the term "appropriate," there should be some indication of what constitutes "appropriateness."

Second, on page 2, lines 1 to 3, there is a provision for the establishment by rule or regulation of time periods for action. The form in which the bill is drafted suggests that the time limits would be established separately on a case-by-case basis, rather than for all such cases. It is not clear if a case-by-case determination of appropriate time limits would be either productive or efficient. If general time limits are to be established, the relevant portion of the bill should stand alone and not in the sequence of activities related to each individual case.